

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEVADA**

DOREEN R. LAMPERT, Derivatively on Behalf  
of CELSIUS HOLDINGS, INC.,

Plaintiff,

v.

JOHN FIELDLY, NICHOLAS CASTALDO,  
CAROLINE LEVY, HAL KRAVITZ,  
ALEXANDRE RUBERTI, CHERYL S.  
MILLER, DAMON DESANTIS, JOYCE  
RUSSELL, AND JAMES NEGRON,

Defendants,

and

CELSIUS HOLDINGS, INC.,

Nominal Defendant.

Case No. 3:23-cv-00017-ART-CSD

**ORDER GRANTING**

**JOINT STATUS REPORT**

Nominal Defendant Celsius Holdings, Inc. (“Celsius” or the “Company”),  
Defendants John Fieldly, Nicholas Castaldo, Caroline Levy, Hal Kravitz, Alexandre

1 Ruberti, Cheryl S. Miller, Damon DeSantis, Joyce Russell, and Edwin Negron-Carballo  
2 (the “Individual Defendants,” and, collectively, with Celsius, “Defendants”) and Plaintiff  
3 Doreen R. Lampert (“Plaintiff,” and, collectively, with Defendants, the “Parties”), by and  
4 through their undersigned counsel, hereby submit this joint status report in connection with  
5 the above-captioned action (the “Derivative Litigation”).

6 The Derivative Litigation alleges facts and asserts claims that are also at issue in  
7 two other pending derivative actions, styled, respectively, *Nicholas R. Ingrao v. John*  
8 *Fieldly, et al.*, Case No. A-23-873736-C Dept. 6 (Clark Cnty., Nev.) and *Jennifer*  
9 *Hammond and Dana Hepworth v. John Fieldly, et al.*, Case No. 2:24-cv-00711 (D. Nev.)  
10 (collectively, the “Derivative Actions”).

11 On August 30, 2024, this Court so-ordered the Parties’ Joint Stipulation to Extend  
12 Stay of Litigation, which stayed the Derivative Litigation until October 4, 2024, (ECF No.  
13 37), so that the Parties could finalize the terms of a proposed settlement of the Derivative  
14 Actions. The Order Granting the Joint Stipulation To Extend Stay of Litigation stated,  
15 “[t]he Parties will provide a further update on the status of the proposed settlement  
16 agreement on or before October 4, 2024.” (*id.*).

17 For their Joint Status Report, the Parties state that:

18 1. The Parties have reached an agreement on the material substantive terms of  
19 a global settlement of the Derivative Actions, including corporate governance  
20 enhancements and Plaintiffs’ fee and expense amount.

21 2. The Parties are currently working together to paper the settlement in a  
22 Stipulation and Agreement of Settlement.

23 3. Once executed, the Plaintiffs will file their Motion for Preliminary  
24 Approval in the related action styled *Ingrao v. Fieldly, et al.*, No. A-23-873736-C (Clark  
25 Cnty., Nev.) (the “*Ingrao* Action”).

26 4. The Parties, therefore, respectfully request that the Court extend the stay an  
27 additional sixty (60) days, until December 3, 2024, to allow the Parties to finalize a

28 //

Stipulation and Agreement of Settlement, and to allow the Plaintiffs to submit a Motion for Preliminary Approval in the *Ingrao* Action.

DATED this 4<sup>th</sup> day of October, 2024.

Respectfully submitted:

**MATTHEW L. SHARP, LTD.**

BY /s/ Matthew L. Sharp, Esq.

MATTHEW L. SHARP, ESQ.

Nevada Bar No. 4746

432 Ridge St.

Reno, NV 89501

Attorney for Plaintiff Doreen Lampert

**SALTZMAN MUGAN DUSHOFF**

BY /s/ Matthew T. Dushoff, Esq.

MATTHEW T. DUSHOFF, ESQ.

Nevada Bar No. 004975

1835 Village Center Circle

Las Vegas, Nevada 89134

**BLUT LAW GROUP PC**

ELLIOT S. BLUT, ESQ.

Nevada Bar No. 006570

ZAHAVA M. LIEBERMAN, ESQ.

Nevada Bar No. 015953

300 S 4<sup>th</sup> Street, #701

Las Vegas, NV 89101

Phone: (702) 384-1050

E-Mail: eblut@blutlaw.com

zlieberman@blutlaw.com

(Admitted Pro Hac Vice)

**ALSTON & BIRD**

JOSEPH G. TULLY, ESQ.

90 Park Avenue

New York, NY 10016

JASON R. OUTLAW

OYINKANSOLA Y. MURAINA

One Atlantic Center

1201 West Peachtree Street, Suite 4900


Atlanta, GA 30309

Counsel for Defendants and Nominal Defendant

**ORDER**

IT IS SO ORDERED.

DATED: October 7, 2024



ANNE R. TRAUM

UNITED STATES DISTRICT JUDGE